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MEMO ENDORSED

January 22, 2020

VIA ECF

The Honorable Richard M. Berman
United States District Judge
500 Pearl Street
New York, NY 10007

USDC SDNY
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Re: Grottano, et al., v. The City of New York, et al., 15-cv-09242 (RMB)(KNF)

Your Honor:

We represent Plaintiffs in this matter. We write to raise an issue related to the hearing on final approval of the proposed settlement in this matter set for February 6, 2020, and to request an adjournment of that hearing until after the close of the claims period.

As the Court will recall, the settlement envisioned a payment to claimants in the amount of approximately \$4000 subject to a cap of \$12.5 million. If the cap was reached, payments are reduced to claimants pro rata.

The number of claimants already far exceeds anything Class Counsel could have foreseen, and there are still three months left in the claims period, which ends on April 27, 2020. The claims administrator has logged more than 6000 claims to date and informs us that there are an additional 4000 claims that have not yet been processed.

What is clear is that the payout to claimants will be a fraction of what was expected. It appears based on current numbers, that the payout will be less than \$1000 per claimant. Class counsel believes that it would be prudent for the Court to adjourn the hearing to a time where it will be in the best position to more fully assess the fairness of the monetary relief to the Class. We may also benefit from the Court's guidance on this issue.

Accordingly, we respectfully request an adjournment of the final approving hearing, to a date in May 2020. We also respectfully request a conference with the Court to discuss how the parties should proceed.

The final fairness hearing scheduled for February 6, 2020 at 12:30 pm is adjourned. A status conference will be held on February 6, 2020 at 10:00 am.

Respectfully,

s/
Oren Giskan

SO ORDERED:

Date: 1-22-2020

Richard M. Berman
Richard M. Berman, U.S.D.J.

90 Broad Street, 10th Floor, New York, New York 10004